

### REMARKS

This amendment is being filed in response to the Office Action dated February 25, 2003 for the above-referenced patent application. It is requested that the above amendment be entered under the provisions of 37 CFR 1.116, as placing the application in condition for allowance or in better condition for Appeal.

Applicant's invention is a semiconductor passive Q-switch which provides for variation in the output characteristics of laser pulses produced by a laser system. As set forth in amended claim 1, the Q-switch includes a coating with variable transmittance for different locations of the coating. Claim 1 and the claims dependent thereon accordingly specify the embodiments of the invention depicted in Fig. 2b (i) to 2b (iii). Claim 5 is cancelled and replaced with new claim 17 which specifies the embodiment of the invention depicted in Fig. 2b (iv).

In the Office Action dated February 25, the Examiner repeated his rejection of Claims 1-2 and 14 as anticipated by the Sartorius reference. As amended claim 1 and new independent claim 17 are clearly distinguished over the Sartorius Patent. Sartorius describes a laser system having three regions, a reflective region R, an active laser resonator L and a passive (unpumped) region of the laser resonator P. Sartorius describes Q-switching the laser by actively modulating current to the R section (Figure 3) or by actively modulating current to the P section (Figure 4). Accordingly as described, changes in the laser output characteristics are produced by active operation of the R or P sections. Thus Sartorius does not describe a passive Q-switch with variation of output characteristics. Sartorius further does not describe a semiconductor passive Q-switch as specified in Claim 1, as amended, having a coating with variable transmittance for

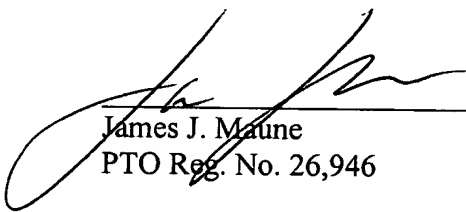
different locations, or having variable thickness as specified in claim 17. Accordingly the claims as amended are not anticipated,

The Examiner has also asserted that the Claims are unpatentable as obvious over the Meissner Patent in view of the Birnbaum Patent. Applicants request reconsideration of this rejection in view of the amendments set forth above. In connection with this rejection the Examiner has asserted that the Meissner reference provides "variable transmittance means" in the sense that a saturable absorber has transmission characteristics that vary as a function of the optical state. As amended, claim 1 specifies a coating with variable transmittance for different locations of said coating. Thus the transmittance variation is specified to be location dependent, distinguishing the claimed subject matter from the Meissner reference. The Birnbaum reference includes no disclosure that would suggest this specifically claimed feature.

Claim 17 specifies a Q-switch with variable thickness, which likewise distinguishes the claimed subject matter from the Meissner and Birnbaum references.

Applicants accordingly maintain that the claims as amended are patentably distinguished from the references applied by the Examiner and clearly in condition for allowance. Accordingly the above amendment should be entered under the provisions of 37 CFR 1.116 and this case should be allowed.

Respectfully submitted,



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